

Prepared By: Mark A. Hosterman, Esquire
Scott C. Denlinger, Esquire
Wisler Pearlstine, LLP
460 Norristown Road, Suite 110
Blue Bell, PA 19422

Return To: Same as above

Parcel No. 18-4-41.1

**EAST COVENTRY TOWNSHIP
CHESTER COUNTY**

RESOLUTION NO. 2021-17

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
EAST COVENTRY TOWNSHIP, CHESTER COUNTY,
PENNSYLVANIA, GRANTING CONDITIONAL
APPROVAL OF A PRELIMINARY SUBDIVISION AND
LAND DEVELOPMENT PLAN SUBMITTED BY ARTISAN
CONSTRUCTION GROUP, LLC FOR THE PROPERTY
LOCATED AT 245 ELLIS WOODS ROAD IN EAST
COVENTRY TOWNSHIP.**

WHEREAS, Artisan Construction Group, LLC (the “Applicant”) is the applicant and developer, and Ellis Woods Development LLC is the owner of a certain tract of land consisting of approximately 38.08 (net) acres situate in East Coventry Township, Chester County, Pennsylvania (the “Township”), with an address of 245 Ellis Woods Road, Pottstown, Pennsylvania 19465 (the “Property”); and

WHEREAS, the Applicant proposes a 113 lot subdivision of the Property, consisting of 112 residential lots and one (1) open space lot and the development of a 112 residential townhome dwelling units comprised of 27 buildings containing three (3) to five (5) units each, paved driveways, a paved roadway, concrete sidewalks, paved parking areas, community open space, a walking trail, an open air pavilion with fire pit, dog park with seating area, seating area

with fire pit, seating area with mailboxes, public water and sewer facilities, stormwater management facilities, and related improvements (the “Development”); and

WHEREAS, the Development and the remainder of the Property are more particularly shown on plans prepared by Commonwealth Engineers, Inc. (hereinafter, “Applicant’s Engineer”), being plans consisting of fifty-one (51) sheets, dated June 24, 2021, last revised September 21, 2021 (the “Preliminary Plans”); and

WHEREAS, a schedule of the individual sheets, drawing title and last revision date for each sheet comprising the Plans is attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, the Plans have been reviewed by the Chester County Planning Commission, the Township Planning Commission, the Township Engineer, the Township Planner, the Township Traffic Engineer, the Township Zoning Officer, the Township Solicitor, and other Township advisors, and have been found acceptable subject as herein below provided.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, as follows:

SECTION A. AUTHORITY; SHORT TITLE; DEFINITIONS.

1. This Resolution is adopted pursuant to and in accordance with the Subdivision and Land Development Ordinance of 2011 (Ordinance No. 179) enacted August 8, 2011, as amended through Ordinance No. 2020-247 enacted November 9, 2020 (collectively, the “SALDO”), as set forth in Chapter 22 (Subdivision and Land Development) of the Code of Ordinances of the Township of East Coventry.

2. This Resolution is adopted pursuant to and in accordance with the Stormwater Management Ordinance of 2013 (Ordinance No. 198) enacted December 9, 2013, as amended

through Ordinance No. 2020-236 enacted October 14, 2019 (collectively, the “SWMO”), as set forth in Chapter 9 (Grading and Excavating), Part 1 (Stormwater Management) of the Code of Ordinances of the Township of East Coventry.

3. This Resolution is adopted pursuant to and in accordance with the Driveway Ordinance of 2012 (Ordinance No. 195) enacted November 12, 2012, as amended through Ordinance No. 2020-247 enacted November 9, 2020 (collectively, the “DO”), as set forth in Chapter 21 (Streets and Sidewalks), Part 1 (Driveways) of the Code of Ordinances of the Township of East Coventry.

4. This Resolution shall be known and may be cited as the “Resolution for Preliminary Subdivision and Land Development Approval for 245 Ellis Woods Road.”

5. Except as may be otherwise provided herein and/or if the context clearly indicates otherwise, all words and phrases appearing in this Resolution, which also appear in the SALDO, shall have the same meanings in this Resolution as in the SALDO.

SECTION B. WAIVERS AND DEFERRALS.

1. The Board of Supervisors hereby waives strict compliance with the following provisions of the SALDO, on and subject to the terms and conditions set forth in this Resolution:

a. SALDO §22-202, definition of “Lot Area, Net” providing that, among other things, any “stormwater management basin and the perimeter easement area required by §9-174 of the Stormwater Management Ordinance” be excluded from the gross lot area, in order to not deduct the stormwater management basin areas and perimeter easement areas from the gross lot area in order to calculate the net lot area, provided the Applicant satisfies the conditions described in Section C, Paragraph 3 of this Resolution, subject to the following additional conditions:

- i. The notes on the Plan regarding a blanket easement are satisfactory to the Township Solicitor to allow the Township to observe and maintain (if necessary) the BMPs and conveyances in perpetuity;
- ii. A single Stormwater Best Management Practices (BMPs) and Conveyances Operation and Maintenance Agreement ("BMP Agreement") providing a blanket easement be prepared for the entire project, rather than separate BMP Agreements for each lot and the common/HOA area;
- iii. Planned Community Association documents be prepared to the satisfaction of the Township Solicitor providing the Township the right to observe and maintain (if necessary) the BMPs and conveyances in perpetuity.
- iv. The Applicant receives a variance from the Township Zoning Hearing Board from the definition of "Lot Area, Net" contained in the Zoning Ordinance.

b. SALDO §22-304.3.E.(17) requiring that all driveways comply with the Standard Public Improvement Specifications and the Applicant provide driveway profiles demonstrating compliance with the slope, cartway connection and drainage requirements of the Township Driveway Ordinance (Chapter 21), including the dimensions between the driveway and the property lines and between structures and the driveway, to allow the Applicant to provide spot elevations and first floor elevations for the driveways.

c. SALDO §22-306.3.D.(4) requiring that the Applicant prepare and submit a Well Withdrawal Impact Study, to allow the Applicant to not prepare and submit a Well Withdrawal Impact Study.

d. SALDO §22-403.1.B requiring side lot lines to be at right angles to straight street lines and radial to curved street lines and culs-de-sac, to allow the Applicant to provide lot lines that are not radial along curved street lines and culs-de-sac as a part of the Development, provided the Applicant satisfies the conditions described in Section C, Paragraph 1 of this Resolution.

e. SALDO §22-406.1 requiring local access streets with curb to have a 52 foot right-of-way width and a 28 foot paved cartway width, to allow the Applicant to provide a 46 foot right-of-way width as a part of the Development.

f. SALDO §22-410.3.B. requiring the spacing of all intersections along collector streets, measured from center-line to center-line, to be no less than 500 feet from an arterial street and 250 feet from roadways of other classifications, to allow the Applicant to provide a street with an intersection on Ellis Woods Road not less than 200 feet from any other intersection as a part of the Development, subject to the condition that the frontage of the Property and access intersection of the Development's private road with Ellis Woods (opposite Harley Road) is improved to the satisfaction of the Township Traffic Engineer.

g. SALDO §22-411.1 requiring that a single-access street not be provided where a through-street is feasible, to allow a single-access street as a part of the Development subject to the condition that the Applicant shall depict a median acceptable to the Township Fire Marshall and Township Traffic Engineer along the center of the Development's private road from its intersection with Ellis Woods Road to approximately station 4+50 and to not incorporate a median if not acceptable to the Township Fire Marshall.

h. SALDO §22-411.3 requiring that a single-access street shall be more than 1,000 feet in length and shall not provide access to more than 20 dwelling units, to allow the Applicant to provide a single-access street that provides access to 112 dwelling units, as a part of the Development.

i. SALDO §22-411.5.B. requiring that a single-access street shall include emergency access drives, to allow the Applicant to provide a single-access street without an emergency access drive, as a part of the Development.

j. SALDO §22-428.3 requiring no trees or shrubs shall be planted within five (5) feet of any side or rear property line, or within two (2) feet of any street ultimate right-of-way line, or within any utility easement or right-of-way, to allow the Applicant to plant

landscaping vegetation not less than one (1) foot feet from the side property lines, as a part of the Development.

k. SALDO §22-428.8.C.(1) requiring that street trees shall be planted between two (2) and four (4) feet outside of and parallel to the street ultimate right-of-way line, to allow the Applicant to plant the trees behind the parking spaces which will be farther than four (4) feet outside of the right-of-way line, as a part of the Development.

1. SALDO §22-428.8.C.(2) requiring street trees to be planted no less than 40 feet nor more than 60 feet apart and staggered on both sides of the street, to allow the Applicant to plant street trees at intervals no greater than 90 feet as a part of the Development, provided the Applicant satisfies the conditions described in Section C, Paragraph 2 of this Resolution, and subject to the additional condition that additional perimeter vegetative bufferings shall be planted by the Applicant to the satisfaction of the Township Planner.

2. The Board of Supervisors hereby waives strict compliance with the following provisions of the SWMO, on and subject to the terms and conditions set forth in this Resolution:

a. SWMO §9-131.2 requiring fences and gates shall be provided for every basin, to eliminate the need for fencing and gates around stormwater management basins having a maximum water depth less than 36 inches during a 100-year storm event, where such basins completely drain within 72 hours from the conclusion of the design storm in accordance with SWMO §9-126.1.J.(3), provided the Applicant satisfies the conditions described in Section C, Paragraph 5 of this Resolution.

b. SWMO §§9-142.1.B.(18)(c)5) & 9-174.1.B. requiring easements with a minimum border of twenty (20) feet over and around all stormwater management basins, to

allow the Applicant to provide a blanket easement as a part of the Development, provided the Applicant satisfies the conditions described in Section C, Paragraph 3 of this Resolution.

c. SWMO §9-152.7 requiring final certificates of occupancy to not be issued until after a stormwater as-built plan is approved by the Township Engineer, to allow the Applicant to periodically receive use and occupancy permits for dwelling units during the construction of the Development, provided the Applicant satisfies the conditions described in Section C, Paragraph 4 of this Resolution.

3. The Board of Supervisors hereby waives strict compliance with the following provisions of the DO, on and subject to the terms and conditions set forth in this Resolution:

a. DO §21-106.8.B. requiring all driveways on corner lots and on lots facing “T” intersections to maintain a minimum distance, measured at the centerline of the intersecting road to the center line of the driveway, of 64 feet for townhouses, to permit Lot 1 to have a driveway distance from the intersection to be no less than 45 feet.

SECTION C. CONDITIONS OF PRELIMINARY PLAN APPROVAL. Approval of the Plans is hereby granted subject to the following conditions:

1. As a condition of Final Approval, the lot lines depicted on the Final Plans shall be substantially similar to those shown on the Preliminary Plans.

2. As a condition of Final Approval, additional perimeter vegetative bufferings shall be planted as shown on the Plans, and shall be reflected on the Final Plans.

3. As a condition of Final Approval, a blanket easement for the inspection and, in the event the responsible party fails to do so, the operations, maintenance, repair and replacement of the stormwater management BMPs by the Township, as required by SWMO §§9-142.1.F.(2) & (3) and 9-171.1.E. In addition, the Applicant shall obtain a variance from the definition of

“Lot Area, Net” contained in ZO §27-202 from the Zoning Hearing Board permitting the stormwater management basin and perimeter easement areas to not be excluded from the gross lot area when calculating the net lot area.

4. As a condition of Final Approval, use and occupancy permits shall only be issued: (i) for “blocks” of dwelling units (i.e. all dwelling units sharing party walls) that have been certified as complete by the Township Engineer; (ii) where the Township Engineer certifies that the continued construction of the Development will not interfere with the health, safety, use and enjoyment of such “block” of dwelling units by residents; and (iii) when the required improvements supporting such “block” of dwelling units are certified as complete by the Township Engineer and sufficient, in the sole opinion of the Township Fire Marshal, to enable emergency services to access such units.

5. As a condition of Final Approval, fencing and gates shall be provided around all stormwater management basins having a maximum water depth of 36 or more inches during a 100-year storm event, in compliance with SWMO §9-131.2, including but not limited to HOA stormwater BMP #6 (infiltration basin).

6. As a part of the Final Plan submission, the Applicant shall demonstrate that the proposed single-access roadway on Ellis Woods Road near its intersection with Harley Road provides for safe and efficient ingress and egress without undue congestion or interference to normal traffic flow, as required by ZO §27-806.1.G.

7. The Final Plans shall depict the single-family attached dwellings no less than 150 feet from an improved and accessible fire lane easement and no more than 600 feet from an accessible and improved public or private street, with fire lane easements having a size of no less than 40 feet in width with an improved fire lane of no less than 20 feet in width located therein,

as required by ZO §§27-1305.1.J through 27-1305.1.L. In the alternative, the Applicant shall obtain a variance from the Zoning Hearing Board for these requirements.

8. The Final Plans shall depict off-street parking areas no farther than 200 feet from the entrance to each dwelling unit, as required by ZO §27-1306.1.A.(1)(b). In the alternative, the Applicant shall obtain a variance from the Zoning Hearing Board for these requirements.

9. In the event that the Applicant desires to install signs identifying the name of the Development, as previously indicated to the Township, the Final Plans shall clearly depict the location and size of any such signs on the Property, in accordance with ZO §27-1314.14 and SALDO §22-428.10.

10. The Final Plans shall include a waiver request matrix on Sheet No. 1 which reflects the specific subsection(s) from which deviations are being requested, the specific minimum deviation provided, the justifications therefor, and any conditional thereof, as required by SALDO §§22-304.2.D.(5), 22-305.2.D.(5) and 22-704.5 and Appendix 22-A. Only those waivers approved by the Board of Supervisors and the corresponding conditions pursuant to this Resolution shall be included on the final plans.

11. The Final Plans shall include the section numbers, dates of enactment, and latest ordinance numbers for the applicable Township Ordinances, as required by SALDO §22-304.3.A.(8). Such note shall be substantially similar to the following:

“The ordinances and documents applicable to this subdivision and land development appears to be as follows (the following list should not be considered to be a comprehensive list of all ordinances, plans or requirements that may apply, but rather a list of the ordinances, plans and requirements that comply apply to this project):

- a. Chapter 9, Part 1 “Stormwater Management” of the East Coventry Township Code of Ordinances, as amended through Ordinance No. 2020-236.

- b. Chapter 18, Part 3 “Public Sanitary Sewage Systems” of the East Coventry Township Code of Ordinances, as amended through Ordinance No. 2020-246.
- c. Chapter 21, Part 1 of the East Coventry Township Code of Ordinances, as amended through Ordinance No. 2020-247.
- d. Chapter 21, Part 3 of the East Coventry Township Code of Ordinances, as amended through Ordinance No. 209.
- e. Chapter 22 of the East Coventry Township Code of Ordinances, as amended through Ordinance No. 2020-247.
- f. Chapter 27 of the East Coventry Township Code of Ordinances, as amended through Ordinance No. 2021-248.
- g. Technical Specifications for Construction of Sanitary Sewers and Appurtenances last revised March 10, 2008, as amended through Ordinance No. 144.”
- h. Any other Township Ordinances or specifications identified by the Township Engineer, Traffic Engineer or Planner shall also be included.

12. The Final Plan shall include a statement of consistency, or non-consistency if waivers are granted, as required by SALDO §22-304.3.A.(26).

13. In accordance with SALDO §22-304.3.E.(18), the end of General Note No. 18 on Sheet 2 shall be revised to read as follows:

“...for the purposes of the completion, modification and/or repair of any required improvements on said lot, as shown on the approved final plan including, but not limited to, landscaping, grading, stormwater management, sanitary sewer, and other facilities and improvements, as deemed necessary by the developer and/or the Township Engineer.”

14. The Finals Plans shall comply with the submission and content requirements contained in SALDO §22-305.

15. As a part of the Final Plan submission, the Applicant shall provide to the Township an Environmental Impact Study satisfactory to the Township upon the recommendation of the Township Engineer, as required by SALDO §22-306.3.D(6).

16. The Final Plans submitted to the Township shall contain the following revisions to the Preliminary Plans:

- a. Current parcel ownership shall be reflected for UPI 18-4-54, pursuant to ZO §27-802.8.
- b. The landscape plan sheets shall be revised to show the 20 foot buffer line, as required by ZO §27-1310.3.B.(1).
- c. The Final Plans shall include a waiver request matrix on Sheet No. 1 with the waiver requested from SALDO §22-304.E.(17) to be corrected to SALDO §22-304.3.E.(17), in compliance with SALDO §§22-304.2.D.(5), 22-305.2.D.(5) and 22-704.5 and Appendix 22-A.
- d. The Final Plans shall include a waiver request matrix on Sheet No. 1 with the waiver requested from SALDO §22-428.8.C(1) to be reflected thereon, in compliance with SALDO §§22-304.2.D.(5), 22-305.2.D.(5) and 22-704.5 and Appendix 22-A.
- e. All asterisks included in the Sheet Index located on Sheet No. 1 of the Plans, because the entire Final Plan set shall be recorded with the Chester County Recorder of Deeds pursuant to SALDO §22-307.2.
- f. The ultimate right-of-way along Ellis Woods Road shall match the right-of-way note on Sheet No. 10, pursuant to SALDO §§22-406.1 and 22-406.6.
- g. Sheet 38 of the Plans shall be modified to provide stationing along the proposed Ellis Woods Road centerline, including the location of the PC and PT for the proposed centerline, pursuant to SALDO §§22-405.9; 22-406.1 and 22-406.7.
- h. Sheet 38 of the Plans shall be modified to show the proposed lane striping along Ellis Woods Road and update the notes to adequately explain the lane transitions to the satisfaction of the Township Traffic Engineer, pursuant to SALDO §§22-405.9; 22-406.1 and 22-406.7.

i. Sheet 38 of the Plans shall be modified to provide a centerline profile along Ellis Woods Road, pursuant to SALDO §§22-405.9; 22-406.1 and 22-406.7.

j. Sheet 38 of the Plans shall be modified to provide information regarding the exiting pavement cross slopes along the southbound Ellis Woods Road through-lane to the satisfaction of the Township Traffic Engineer, pursuant to SALDO §§22-405.9; 22-406.1 and 22-406.7.

k. Sheet 38 of the Plans shall be modified to provide horizontal alignment warning signs in accordance with MUTCD guidelines, signage and pavement marking and other improvements to the satisfaction of the Township traffic Engineer, pursuant to SALDO §§22-405.9; 22-406.1 and 22-406.7.

l. The proposed curve radii along Road A shall be labeled to the satisfaction of the Township Traffic Engineer, pursuant to SALDO §§22-409.

m. Truck turning templates for the Township's largest emergency services vehicles shall be provided and approved by the Township Traffic Engineer, pursuant to SALDO §22-412.

n. Relocate the proposed stop sign to be in line with the stop bar at the intersection of Road A and Ellis Woods Road, as well as provide a crosswalk, to the satisfaction of the Township Traffic Engineer, pursuant to SALDO §§22-417.5.

o. Detailed curb ramp designs for all curb ramps along Road A shall be included and approved by the Township Traffic Engineer, pursuant to SALDO §§22-418.5.

p. All mid-block pedestrian trail crossings shall be accompanied by pedestrian warning (W11-2A) signs with downward pointing arrow (W16-7P) plaques facing both directions to the satisfaction of the Township Traffic Engineer.

q. The full extent of the proposed water main's connection to the existing public water system shall be shown on the Plan, as required by SALDO §22-422.4.

r. The Final Plans shall depict more specific information regarding the seed mixes, seed mix manufacturer, mix name, mix number, seeding rate, species list, maintenance information, and any other information to the satisfaction of the Township Planner, as required by SALDO §§22-426.3.K and 22-428.2.

s. The lighting plan sheets shall be revised to: (i) eliminate the topographic contours and add isofootcandle plots or illuminance grid plots; (ii) depict the catalog cuts, including luminaries, glare control devices, lamps and standards, mounting heights and means, hours of operation and maintenance schedule, as required by SALDO §22-427.2.

t. The Plans shall be revised as necessary to demonstrate compliance with the footcandle limitations contained in SALDO §22-427.4.B.

u. The Plans shall show that "full cutoff" criteria have been met for lighting of horizontal surfaces, as required by SALDO §22-427.4.D.

v. Fixtures shall be designed to be equipped or be capable of being retrofitted with light directing devices such as shields, visors or hoods when necessary to redirect offending light distribution, as required by SALDO §22-427.4.E.

w. Compliance with SALDO §22-427.5, regarding nuisance glare and disabling glare, shall be demonstrated.

x. The Final Plans shall be revised to include native species to an extent satisfactory to the Township Planner, pursuant to SALDO §22-428.6.

y. In accordance with SALDO §22-428.16.B, the following note shall be added to the Plans:

The Applicant guarantees to the Township that all required landscape improvements shall be installed and maintained in a healthy and/or sound condition, or otherwise be replaced by equivalent improvements, for a period of 18 months from the date of completion of all improvements comprising the Development, as evidenced by a satisfactory final inspection and certificate of completion issued by the Township Engineer.

z. A 20 foot easement shall be depicted, centered over the community trail that is proposed as a part of the Development to connect the private street with East Coventry Elementary shall be considered and designed as a community trail pursuant to SALDO §22-429.2.D.(2).

aa. The POI shall be located at the property line to demonstrate that there will be no impacts onto adjacent properties, pursuant to SWMO §9-121.7.

bb. The following items shall be addressed to the satisfaction to the Township Engineer, as required by SWMO §9-121.12:

(i) The erosion control blanket callout in the area of BMP #5 conflicts with the proposed grading and other line styles on Sheet 32 of the Plan.

(ii) The infiltration basin #6 outfall is inconsistent.

(iii) Two of the proposed BMPs shown on Sheet 22 and 25 of the Plan have the same identifier (HOA Stormwater BMP #6).

(iv) There are multiple labels/callouts for inlets and other features that are obscured by other line styles/features on the Plan, including, but not limited to, Sheets 18 and 22.

(v) The Report shows credit being taken for the roof areas draining to protected areas and is inconsistent with the non-structural BMP area shown on Sheet 26 of the Plans. The Final Plans shall clearly delineate the protected areas to receive runoff from the roof areas. The Applicant shall demonstrate how these areas will be delineated and permanently

protected and maintained. Specific requirements for construction/delineation and maintenance/care of these areas shall be included on the Final Plans.

(vi) The drainage area plan shall eliminate the lack of clarity resulting from the different information presented on the Plans related to (such as drainage area boundary, TC, streets, etc.) similar line weight, style, and color.

(vii) The drainage area plan is unclear in regard to the northern corner of the project site. The drainage area plan shows this area to be collected to BMP #1, but it is unclear how this runoff from this area will get to BMP#1.

(viii) The proposed surfacing of the trail, picnic area and dog parks shall be noted on the Final Plans and it shall be demonstrated how the stormwater runoff from these areas will be managed/collected to ensure no increase in runoff to the adjacent properties.

(ix) Provide continuous and clear grading and drainage on the Final Plans, including but not limited to the following areas:

- (1) To the rear of and between units 31 through 36.
- (2) To the rear of and between units 44 through 52.
- (3) Between units 70 and 104.

cc. The soil stockpiles shown on Sheets 29 and 30 of the Plan shall be surrounded by silt sock, pursuant to SWMO §9-123.

dd. The total number of rock aprons depicted and the quantity listed in the rock apron detail shall be revised on the Final Plans for consistency, pursuant to SWMO §9-123.

ee. The Final Plans shall reference the rock aprons with the identification/label that is shown in the rock apron detail, pursuant to SWMO §9-123.

ff. The Final Plans shall depict infiltration testing at locations having the same elevations as the infiltration surfaces for the BMPs, including but not limited to HOA Stormwater BMPs #6 and #7, pursuant to SWMO §§9-126.1.I(2) & §126.1.I(3).

gg. A minimum depth of 24 inches between the bottom of the BMP and the limiting zone shall be provided, pursuant to SWMO §9-126.1.J(1).

hh. Stormwater management BMPs shall not be located in areas with infiltration tests identifying no measurable infiltration, pursuant to SWMO §9-126.1.J(2).

ii. The infiltration basins shall be protected from sediment during construction and shall not be used as sediment basins during construction, pursuant to SWMO §9-126.1.M.

jj. Either the sump elevations shall be shown or inlets 121A, 102, 117, and 129 shall be noted that they are to have a one (1) foot sump as indicated in the Applicant Engineer's response letter, pursuant to SWMO §9-126.1.P.

kk. The emergency spillways for HOA Stormwater BMPs Nos. 2, 3, and 4 shall be revised to include at least one foot of freeboard, pursuant to SWMO §9-130.2.

ll. Fences and gates shall be provided around basins in accordance with Section C, Paragraph 5 of this Resolution.

mm. The Plan and Report cross-reference notes shall be updated with the latest revision dates, pursuant to SWMO §9-142.1.

nn. Complete details and information required for construction of all stormwater BMPs conveyances and facilities, including but not limited to dimensions, elevations, materials, and construction notes shall be provided, pursuant to SWMO §9-142.1.B(13).

oo. A description of actions necessary to operate, inspect and maintain all Stormwater BMPs shall be noted on the Plan, which notes shall be consistent and address issues such as lawn care, vegetation maintenance, landscaping and planting, clean out of accumulated debris and sediment and other anticipated periodic repairs, pursuant to SWMO §9-172.1.B(3).

pp. The following shall be added to the Plan as a General Note: "All non-sanitary sewer construction means, materials, methods, testing and procedures shall be in accordance with the Township's Public Improvements Specifications, being Chapter 21, Part 3 of the East Coventry Township Code of Ordinances as amended through Ordinance No. 209."

qq. The following shall be added to the Plan as a General Note pursuant to the Standard Public Improvement Specifications Ordinance ("SPISO") §21-302; Exhibit 21-3-A §1.22:

An As-Built Plan shall be submitted to the Township Engineer for review and approval at the completion of construction in accordance with the requirements of §1.22 of the Township's Public Improvements Specifications, being Chapter 21, Part 3 of the East Coventry Township Code of Ordinances as amended through Ordinance No. 209.

rr. The Fire Hydrant Detail on Sheet 43 of the Plan shall be revised to identify the manufacturer and model as Mueller Modern Centurion, or other as approved by the local fire company and Pennsylvania American Water Company, pursuant to SPISO §21-302; Exhibit 21-3-A §10.2.A.3.

ss. The Fire Hydrant Detail on Sheet 43 of the Plan shall be revised to include a note that the hydrant shall be fit with a 5" Storz-compatible adapter and cap, pursuant to SPISO §21-302; Exhibit 21-3-A §10.2.C.

tt. Standard Detail Nos. 1, 3, 4, 5, 7, 8 and 9 on Sheets 42 and 43 of the Plan shall be replaced with more legible versions.

uu. The Driveway Entrance and Sidewalk Configuration Detail on Sheet 42 shall be revised to show a total apron width of 14' at the road entrance and the correct cartway and right-of-way widths, pursuant to DO §21-106.7.A(2).

vv. Notes shall be added to the Utility Plan sheets regarding separation of sanitary sewer and potable water lines to demonstrate compliance with the requirements of Township Ordinances and requirements, including the expansion of the Sewer Lateral and Water Service Notice on Sheet No. 18 of the Plans to include sewer and water mains, and the specifics of the separation requirements, pursuant to the Public Sanitary Sewage System Ordinance ("PSSSO") §18-306.1.E; Township Technical Specifications ("TTS") §4.

ww. MH 24 Detail on Sheet 43 of the Plans shall be revised to show the new flow channel as sweeping in the direction of flow, as well as the existing manhole as being 6' in diameter and PVC-lined and a note shall be added to the detail stating that the PVC liner at the point of manhole penetration shall be repaired to the satisfaction of the Township Engineer, pursuant to the PSSSO §18-306.1.E.

xx. The Sanitary Sewer Trench Restoration details shall be removed from Sheet 43, and the following Standard Details shall be added to Sheet 43: 1, 2, 6A, 6B, 6C, 17A, 17B, 17D, 17E, 18 and 19, pursuant to the Public Sanitary Sewage System Ordinance ("PSSSO") §18-306.1.E.

yy. A location and screening for Homeowner Association trash storage and pick-up shall be depicted on the plans in accordance with all applicable ordinances and to the satisfaction of the Township Planner. Homeowner Association trash pick-up shall be addressed in the Homeowner Association Declaration to the satisfaction of the Township Solicitor.

zz. The sidewalks at the intersection of Road A and Road A shall be revised on the Plans to depict proper connection.

aaa. A note shall be added to the Plans to the satisfaction of the Township Engineer and Township Solicitor to adequately address the Plans' compliance with Z.O, §§27-1305.1.1 through 27-1305.1.k requiring dwellings to be no less than 150 feet from an improved accessible fire lane and no more than 600 feet from an improved accessible public or private street.

17. The Post-Construction Stormwater Management Plan Narrative (i.e. the "Report") shall be revised as follows:

a. A safety factor shall be applied to the infiltration test values per PADEP or other applicable design guidance, and the method used to calculate the design infiltration rate for each BMP shall be provided, including the specific infiltration test(s) and the factor of safety that was used in the calculation, pursuant to SWMO §9-126.1.I.(3).

b. Calculations for the stormwater piping demonstrating such facilities have the required capacity to safely convey the required flows shall be provided in the Report, pursuant to SWMO §9-129.6.

c. Calculations for existing and proposed stormwater swales shall be provided to demonstrate they have the capacity to safely convey the design flows, including but not limited to a demonstration that the existing swale along the south side of the site can safely convey the 100-year storm flows since basin spillways are directed into including flow from upstream and/or adjacent areas and flows from the proposed project, pursuant to SWMO §9-130.4.

d. The Plan and Report cross-reference notes shall be updated with the latest revision dates, pursuant to SWMO §9-142.1.

e. The loading ratios for each of the proposed BMPs shall be provided, pursuant to SWMO §9-142.1.E.

18. The Final Plans shall include a final comprehensive Stormwater Management Plan, prepared in accordance with the requirements of the SWMO, and the Applicant shall address to the satisfaction of the Township Engineer any new stormwater comments raised as a result such Stormwater Management Plans, including, but not limited to, any comments arising from the modification of the stormwater management facilities depicted on the Preliminary Plans.

19. Prior to recording the Final Plan, the Applicant shall provide to the Township either an approved sewage facilities planning module or an approved sewage facilities planning module exemption issued by the Pennsylvania Department of Environmental Protection (“PADEP”), in accordance with SALDO §22-421.1.

20. Prior to recording the Final Plan, the Applicant shall pay in full to the Township the then-current tapping fees plus payment of quarterly fees in order to reserve sewer capacity in the Township, as required by SALDO §22-421.1. As of the date of this Resolution, the current tapping fee is \$6,797.00 per EDU, resulting in a total tapping fee for the 112 townhomes (112 EDUs) in the Development in the amount of \$761,264.00, in accordance with SALDO §22-421.1.

21. Prior to the recording of the Final Plans, the Applicant shall provide the Township with an approval of the Development’s connection to the public water system from Pennsylvania American Water Company (“PAWC”), in accordance with SALDO §22-422.4.

22. Prior to the recording of the Final Plans, the Applicant shall provide the Township with a written confirmation from PAWC that the Development's connection to the public water system satisfies the flow and pressure requirements contained in SALDO §§422.5.B and §422.6.A(1).

23. As a part of the submission of the Final Plans, the Applicant shall provide to the Township on-site dedicatable land for park, recreation and open space use in compliance with the design standards contained in SALDO §22-426 or, in the alternative, subject to the approval of the Township, propose a fee-in-lieu of such dedication, in accordance with SALDO §22-426.

24. As a part of the Final Plan submission, the Applicant shall provide to the Township a proposed Declaration of Planned Community (the "Declaration") that complies with the requirements of the Pennsylvania Uniform Planned Community Act, 68 Pa. C.S.A. § 5101 et seq. (the "Act"), SALDO §§22-305.3.B.(2)(e), 22-414 and 22-428.13.E. and ZO §27-1306.1.D.(2)(e), to the satisfaction of the Township Solicitor, which shall be recorded immediately following the recording of the record plans, and contains all of the following conditions, covenants, easements and restrictions required by the Act, various provisions of the SALDO including, but not limited to:

a. The Association shall be responsible for the maintenance, repair and restoration of the private roadways, curbing, sidewalks, parking areas, subsurface and surface storm water management facilities and BMPs, emergency access easement areas, open space areas, trails and other recreational amenities, street lights, signage, street trees, lawn areas and landscaping constructed or installed on the Property.

b. A long-term maintenance plan for all general landscaping and stormwater management landscaping shall be included in the Declaration and be consistent with the landscaping maintenance notes described on the Preliminary Plans.

c. The long-term BMP Operation and Maintenance Plan, once approved by the Township Engineer, shall be included in the Declaration and be consistent with the maintenance notes described on the Preliminary Plans.

d. The Association shall be responsible for all snow removal from the private roadways, parking areas and sidewalks on the Property.

e. On-street parking of vehicles shall be prohibited. Vehicles in violation of these restrictions shall be towed at the vehicle owner's expense.

f. The Association shall have the authority to enforce the parking restrictions and posted speed limit(s) in the development through the imposition of fines.

g. All common areas on the Property shall be identified as common facilities or limited common facilities.

h. No tree removal shall be permitted anywhere on the Property unless such trees are dead or diseased; in such case, they shall be promptly removed to avoid safety hazards.

i. An irrevocable easement from the declarant, its successors and assigns, shall be granted in favor of the Township authorizing the Township to access and enter upon all or any portion of the Property located in the Township to inspect, repair, replace and maintain the storm water management BMP facilities located on that portion of the Property in the Township in the event the declarant or the Association fails to do so, to seek reimbursement from the Association for all costs and expenses incurred, and to file and maintain a lien against the Property until such costs and expenses are paid in full.

j. An irrevocable easement from the declarant, its successors and assigns, shall be granted in favor of the Township, Pennsylvania American Water Company and other utility providers to enter upon and have rights of access to all or any portion of the Property located in the Township to inspect, repair, replace and maintain the sanitary sewer, water and utility improvements located on that portion of the Property located in the Township.

k. An irrevocable easement from the declarant, its successors and assigns, shall be granted in favor of the Township, all unit owners, their family members, licensees, invitees and guests, and the general public to use and enjoy the sidewalks and trails located on the Property for pedestrian travel.

l. The declarant, its successors and assigns, and the Association shall be prohibited from subdividing, selling, mortgaging, conveying, constructing improvements on, or changing the use of all or any portion of the open space areas on the Property without the prior written approval of the Township.

m. No lots or common areas within the development may be further subdivided.

n. No trees, plantings, shrubs, hedges, walls, fences, structures or other visual obstructions shall be erected to a height in excess of two (2) feet within the sight distance easement areas, as shown on the final land development plans and the Declaration Plats and Plans. The Association shall maintain the sight distance easement areas to prevent visual obstructions.

o. Snow storage easement areas, as identified on the final land development plans, shall be landscaped as lawn or meadow area, free of obstructions, to facilitate the plowing of snow in such areas.

p. The Association and each homeowner shall be prohibited from taking any action that would damage, impair or otherwise interfere with the operation and preservation of the storm water management facilities and BMPs installed anywhere on the Property.

q. No improvements shall be installed within the riparian corridor and wetland areas as shown on the final land development plans.

r. The Association shall provide solid waste and recycling services for the development as a common expense payable by all homeowners.

s. An architectural standards committee shall be formed to preserve and enforce the harmonious design of the development.

t. Any amendment to the Declaration or a termination of the planned community shall require prior written notice to and the prior written approval of the Township.

u. The Association shall be responsible for the maintenance of all grass trail surfaces in accordance with maintenance specifications satisfactory to the Township Planner.

25. In addition to the Declaration described above, documentation relating to the formation and operation of the homeowners association (the "Association") shall be furnished to the Township as part of the Applicant's final plan application that satisfies the requirements of SALDO §22-305.3.B.(2)(e). Such documentation shall include, without limitation, the following:

a. A Public Offering Statement prepared by the declarant for distribution to prospective purchasers of townhouses;

b. Articles of Incorporation for the Association, which should be filed with the Pennsylvania Department of State prior to the conveyance of the first lot in the development;

c. Bylaws for the Association;

d. Declaration Plats and Plans that satisfy the requirements of Section 5210 of the Act, which should be recorded concurrently with recording the Declaration; and

e. Any easement agreements which should be recorded immediately following the recording of the record plans.

All documentation shall be subject to review and approval of the Township Supervisors upon recommendation of the Township Solicitor.

26. As a condition of final plan approval and prior to the Township releasing the final plans for recording, one or more Deed(s) of Dedication in form and substance satisfactory to the Township shall be executed and delivered by the Applicant, as grantor, to the Township, as grantee, granting and conveying fee simple title in perpetuity to the lands constituting the legal and ultimate rights-of-way along the frontage of the Property on Ellis Woods Road, as depicted on the Plans, in accordance with SALDO §§22-406.6 and 22-406.7. The Deed of Dedication shall be recorded by the Township at the Applicant's expense immediately following the recording of the final plans.

27. As a condition of both preliminary and final plan approval, the Plans shall be signed and sealed by the landscape architect registered in the Commonwealth of Pennsylvania who was responsible for the preparation of the landscape plans as required by SALDO §22-428.12.A.

28. As a condition of preliminary plan approval, the Plans shall be signed and sealed by the Professional Engineer or Professional Land Surveyor responsible for their preparation in accordance with SALDO §22-304.3.A(25). In addition, the final plans shall be signed and sealed by the Professional Engineer or Professional Land Surveyor responsible for their preparation

prior to the Township releasing the final plans for recording in accordance with SALDO §22-305.3.B(1)(g).

29. All signature blocks and certifications on the final plans shall be signed and notarized, as appropriate, as part of the final plan approval and recording process in accordance with SALDO §22-307.2.

30. The final plans shall comply with SALDO §22-305.3. and shall be accompanied by the supplementary data required by SALDO §305.3.B(2) to the extent waivers have not been granted to the Applicant pursuant to this Resolution.

31. As part of the Applicant's final plan submission, the Applicant's Engineer shall provide legal descriptions for review and approval by the Township Engineer for the right-of-way areas to be offered for dedication to the Township, the entire tract boundary and the boundaries of the open space areas, as depicted on the Plans. The legal descriptions submitted with the Final Plan shall be signed and sealed by the Professional Land Surveyor responsible for its preparation. The legal descriptions, once approved by the Township Engineer, shall be provided to the Township Solicitor for attachment to the deeds of dedication and other appropriate legal documentation prior to recording, in accordance with SALDO §22-305.3.B.(1)(a).

32. Prior to the recording of the Final Plans, the Applicant shall provide a copy of the NPDES storm water permit for the Development issued by PADEP to the Township for review and approval by the Township Engineer in accordance with SALDO §22-306.1 and SWMO §§ 9-121.3.B, 9-122.1.A, 9-123.1.A(1) & (2), and 9-142.G.

33. A Land Development Agreement, including financial security provisions, and a Memorandum of Land Development Agreement, each in form and substance acceptable to the

Township, shall be prepared by the Township Solicitor and executed by the Applicant before the Board of Supervisors signs the final plans and releases same for recording in accordance with SALDO §22-309.

34. The Applicant shall submit an improvements cost estimate to the Township for review and approval by the Township Engineer in accordance with SALDO §22-310.6. Prior to releasing the final plans for recording, the Applicant shall post financial security, as described in the Land Development Agreement, with the Township to cover the cost of construction of all improvements in accordance with SALDO §§ 22-310 and 22-601.3 and SWMO §9-108.

35. A Stormwater Best Management Practices (BMPs) and Conveyances Operation and Maintenance Agreement ("BMP Agreement") in form and substance acceptable to the Township, shall be executed by the Applicant and recorded in the Office of the Chester County Recorder of Deeds at the Applicant's expense pursuant to SWMO §§ 9-142.F(2) and 9-173. The BMP Agreement shall grant to the Township a blanket easement over the Property to inspect the proposed storm water management facilities and maintain, repair and/or replace the same if the responsible party fails to do so. A copy of the recording receipt shall be provided to the Township prior to the commencement of any work associated with the Property. The BMP Agreement shall be prepared by the Township Solicitor or the Township Engineer at the Applicant's expense after receipt by the Township of an application for drainage permit.

36. The final plans, following final plan approval, shall be fully executed and delivered to the Township and shall be recorded at the expense of the Applicant.

37. The Applicant shall pay to the Township a transportation impact fee in the amount of Two Thousand Eight Hundred Forty-Six and 00/100 Dollars (\$2,846.00) per new weekday afternoon peak hour trip, for a total transportation impact fee for 63 new weekday peak

hour trips in the amount of One Hundred Seventy-Nine Thousand Two Hundred Ninety-Eight and 00/100 Dollars (\$179,298.00) prior to the issuance of any building permit for the Development, which shall be payable to East Coventry Township for deposit into the Township Traffic Impact Fee Fund pursuant to §22A-305 of the East Coventry Township Transportation Impact Fee Ordinance.

38. All recording costs and applicable taxes and fees, if any, shall be paid by the Applicant.

39. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended), the completion of all conditions, the payment of all applicable fees and the funding of all escrows must be accomplished within ninety (90) days of the date of the resolution approving the final plans unless a written extension is granted by the Township. Until the conditions have been satisfied, the applicable fees have been paid and the escrows fully funded, the final plans shall not be signed nor recorded. In the event that the conditions have not been satisfied, the fees have not been paid and the escrows have not been funded within ninety (90) days of the date of said resolution, or any written extension thereof, the contingent approval shall expire and be deemed to have been revoked.

40. Under the provisions of the Pennsylvania Municipalities Planning Code, the Applicant has the right to accept or reject conditions imposed by the Board of Supervisors upon preliminary approval. The Applicant shall signify its acceptance of the conditions contained herein by signing a copy of this Resolution and returning it to the Township within thirty (30) days of the date of this Resolution. In the event execution of this Resolution is not delivered to the Township office by 12:00 p.m. on December 7, 2021, or if the Township receives written notice of an appeal or rejection of any of the conditions set forth herein within thirty (30) days

from the date of this Resolution, this approval and the waivers and deferrals granted in Section B hereof (which waivers and deferrals are granted contingent upon the acceptance of the conditions set forth herein) shall be deemed to be automatically rescinded and revoked and the application shall be considered denied based upon the failure to fully comply with all of the sections set forth in Section B, all as authorized by Section 508 of the Pennsylvania Municipalities Planning Code.

SECTION D. EFFECTIVE DATE. This Resolution shall be effective immediately upon the adoption hereof.

APPROVED at the public meeting of the East Coventry Township Board of Supervisors held on November 8, 2021.

EAST COVENTRY TOWNSHIP



David G. Kraynik, Secretary

By: 

Ray A. Kolb, Chairman

By signing below, the Applicant accepts and consents to all of the terms and conditions of approval contained in the foregoing Resolution for Preliminary Subdivision and Land Development Approval for 245 Ellis Woods Road.

APPLICANT:

ARTISAN CONSTRUCTION GROUP, LLC

Date: 11/10/2021

By: 

Name:

Title:

Ronald Christy
Project Manager

EXHIBIT "A"

SCHEDULE OF THE APPROVED PRELIMINARY PLANS

Sheet No.		Description	Origination Date	Last Revised
1	of 51	Cover Sheet	6/24/21	9/21/21
2	of 51	Construction Layout Plan	6/24/21	9/21/21
3	of 51	Site Context Map	6/24/21	9/21/21
4	of 51	Open Space Plan	6/24/21	9/21/21
5	of 51	Resource Impact & Conservation Plan	6/24/21	9/21/21
6	of 51	Design Process Plan (Step 1)	6/24/21	9/21/21
7	of 51	Design Process Plan (Step 2)	6/24/21	9/21/21
8	of 51	Design Process Plan (Step 3)	6/24/21	9/21/21
9	of 51	Design Process Plan (Step 4)	6/24/21	9/21/21
10	of 51	Title Plan-1	6/24/21	9/21/21
11	of 51	Title Plan-2	6/24/21	9/21/21
12	of 51	Title Plan-3	6/24/21	9/21/21
13	of 51	Title Plan-4	6/24/21	9/21/21
14	of 51	Existing Conditions Plan-1	6/24/21	9/21/21
15	of 51	Existing Conditions Plan-2	6/24/21	9/21/21
16	of 51	Existing Conditions Plan-3	6/24/21	9/21/21
17	of 51	Existing Conditions Plan-4	6/24/21	9/21/21
18	of 51	Utility Plan-1	6/24/21	9/21/21
19	of 51	Utility Plan-2	6/24/21	9/21/21
20	of 51	Utility Plan-3	6/24/21	9/21/21
21	of 51	Utility Plan-4	6/24/21	9/21/21
22	of 51	PCSM & Grading Plan-1	6/24/21	9/21/21
23	of 51	PCSM & Grading Plan-2	6/24/21	9/21/21
24	of 51	PCSM & Grading Plan-3	6/24/21	9/21/21
25	of 51	PCSM & Grading Plan-4	6/24/21	9/21/21
26	of 51	PCSM Non-Structural BMP Plan	6/24/21	9/21/21
27	of 51	PCSM Notes & Details-1	6/24/21	9/21/21
28	of 51	PCSM Notes & Details-2	6/24/21	9/21/21
29	of 51	Erosion & Sediment Control Plan-1	6/24/21	9/21/21
30	of 51	Erosion & Sediment Control Plan-2	6/24/21	9/21/21
31	of 51	Erosion & Sediment Control Plan-3	6/24/21	9/21/21
32	of 51	Erosion & Sediment Control Plan-4	6/24/21	9/21/21
33	of 51	E&SC Notes & Details Sheet	6/24/21	9/21/21
34	of 51	Lighting Plan-1	6/24/21	9/21/21
35	of 51	Lighting Plan-2	6/24/21	9/21/21
36	of 51	Lighting Plan-3	6/24/21	9/21/21
37	of 51	Lighting Plan-4	6/24/21	9/21/21
38	of 51	Site Access Plan	6/24/21	9/21/21
39	of 51	Roadway Plan & Profile-1	6/24/21	9/21/21

40	of 51	Roadway Plan & Profile-2	6/24/21	9/21/21
41	of 51	Roadway Plan & Profile-3	6/24/21	9/21/21
42	of 51	Miscellaneous Details-1	6/24/21	9/21/21
43	of 51	Miscellaneous Details-2	6/24/21	9/21/21
44	of 51	Overall Landscape Plan	6/24/21	9/21/21
45	of 51	Landscape Plan	6/24/21	9/21/21
46	of 51	Landscape Plan	6/24/21	9/21/21
47	of 51	Landscape Plan	6/24/21	9/21/21
48	of 51	Landscape Plan	6/24/21	9/21/21
49	of 51	Amenity Enlargements	6/24/21	9/21/21
50	of 51	Landscape Details and Notes	6/24/21	9/21/21
51	of 51	Landscape Details	6/24/21	9/21/21